

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

_____)	
IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL NO. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
_____)	
)	Hon. Patti B. Saris
THIS DOCUMENT RELATES TO)	
CLASS 1 RESIDENTS OF THE)	
DISTRICT OF COLUMBIA AND)	
STATES OTHER THAN THE)	
COMMONWEALTH OF)	
MASSACHUSETTS)	
_____)	

THE J&J DEFENDANTS' NOTICE OF FILING OF CORRECTED APPENDIX

Johnson & Johnson, Centocor, Inc., and Ortho Biotech Products, LP (the "J&J Defendants"), are filing the attached "Corrected Appendix" to the J&J Defendants' Memorandum in Support of Their Post-Remand Motion for Summary Judgment Against Class 1 Residents of the District of Columbia and States Other Than the Commonwealth of Massachusetts. The Appendix filed yesterday with the J&J Defendants' motion papers contained errors that were not discovered until after the J&J Defendants' motion papers were filed and served. The "Corrected Appendix" corrects those errors.

Dated: November 24, 2009

/s/ Andrew D. Schau

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CORRECTED APPENDIX**STATE-BY-STATE UDTPA COMPARISON**

MA	actual damages required; no right to a jury trial; deceptive or unfair conduct required
AZ	actual damages required; reliance required; deception required
AR	actual damages required; deceptive or unconscionable conduct required
CA §1770	actual damages required; failure to state a claim under § 1770 because specific unfair or deceptive conduct required; reliance required; materiality required
CA §17200	actual damages required; no right to a jury trial on § 17200 claims; reliance required
CO	actual damages required; deception required
CT	actual damages required; deceptive or unfair conduct required; materiality required
DE	actual damages required; deception required
DC	deception required; materiality required
FL	actual damages required; deceptive, unfair or unconscionable conduct required
HI	deceptive or unfair conduct required; materiality required
ID	actual damages required; deceptive or unconscionable conduct required
IL	actual damages required; no right to a jury trial; deceptive or unfair conduct required; materiality required
IN	reliance required; deception required
KS	actual damages required; court determines if unconscionable conduct; deceptive or unconscionable conduct required; materiality required
MD	actual damages required; reliance required; deceptive or unfair conduct required; materiality required
MI	actual damages required; reasonable reliance required; deception required; materiality required
MN	reliance part of causal nexus; deception required
MO	actual damages required; deceptive or unfair conduct required
NE	actual damages required; no right to a jury trial; deceptive or unfair conduct required
NV	deception required
NH	no right to a jury trial; deceptive or unfair conduct required

NJ	actual damages required; deceptive or unconscionable conduct required; materiality required
NM	actual damages required; deceptive or unconscionable conduct required
NY	actual damages required; deception required; materiality required
NC	actual damages required; court determines if unfair or deceptive; reliance required; deceptive or unfair conduct required
ND	deception required
OH	no right to class damages absent prior ruling
OK	actual damages required; deceptive or unfair conduct required
OR	actual damages required; reliance required; deception required
PA	actual damages required; reliance required; deception required; materiality required
RI	actual damages required; deceptive or unfair conduct required
SC	class actions not allowed
SD	actual damages required; reliance required; deception required
TN	class actions not allowed
TX	deceptive or unconscionable conduct required; materiality required
UT	actual damages required; no right to class damages absent prior ruling; deception required
VT	deceptive or unfair conduct required; materiality required
WA	actual damages required; deceptive or unfair conduct required
WV	deceptive or unfair conduct required
WI	actual damages required; deception or unfair conduct required
WY	actual damages required; reliance required; deceptive or unfair conduct required

CERTIFICATE OF SERVICE

I certify that on November 24, 2009 a true and correct copy of the foregoing was delivered via electronic service to all counsel of record pursuant to Case Management Order No. 2.

/s/ Andrew D. Schau

Andrew D. Schau